HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE G.BHAVANI PRASAD

WRIT APPEAL No.901 OF 2006

Between:

Meda Anjaiah

..... Appellant

AND

Kakumanu Rayulu & others

.....**Respondents**

::JUDGMENT::

Counsel for the Appellant : Sri K.Subrahmanya Reddy, Senior Advocate, assisted by Sri M.Brahma Reddy

Dated: 01.09.2006

Per G.S.Singhvi, CJ

This appeal is directed against order dated 24-4-2006 passed by the learned Single Judge in Writ Petition No.4758 of 2006 whereby he quashed order dated 25-2-2006 issued by Principal Secretary, Animal Husbandry, Dairy Development and Fisheries Department.

We have heard learned counsel for the appellant and perused the record. In our opinion, the view expressed by the learned Single Judge on the jurisdiction of respondent No.2 to entertain the revision filed by the appellant and the stay order passed by it does not suffer from any legal infirmity and the appeal is liable to be dismissed.

Before we could record reasons for the aforementioned conclusion, Sri M.Brahma Reddy, learned Advocate for the appellant made a request that his client may be permitted to withdraw the appeal with liberty to avail appropriate legal remedies under the Andhra Pradesh Co-operative Societies Act, 1964. He also submitted that the Court may direct the competent authority to entertain the appeal etcetera, which his client may file hereinafter.

The request of the learned counsel is accepted and the appeal is dismissed as withdrawn with liberty in terms of the prayer made. We also give liberty to the appellant to file application for condonation of delay, if any, and hope that the

same will be decided by the competent authority keeping in view the fact that the appellant had earlier pursued an untenable remedy.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY,J

Dt. 01.09.2006

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